



## ANALYSIS

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| <p>Title.</p> <p>1. Short Title and commencement.</p> | <p>2. Registration of change of name.</p> <p>3. Shortened forms of birth certificates.</p> |
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1953, No. 81

**Title.** AN ACT to amend the Births and Deaths Registration Act 1951. [26 November 1953]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

**Short Title and commencement.** 1. (1) This Act may be cited as the Births and Deaths Registration Amendment Act 1953, and shall be read together with and deemed part of the Births and Deaths Registration Act 1951 (hereinafter referred to as the principal Act).

(2) This Act shall come into force on the first day of April, nineteen hundred and fifty-four.

**Registration of change of name.** 2. The principal Act is hereby amended by inserting, after section seventeen, the following section:

“17A. (1) Any person who has attained the age of twenty-one years or is married or has at any time been married may by deed poll change his name, whether as to his surname or as to any first name or Christian name.

“(2) The parents of any child who has not attained the age of twenty-one years and has never been married may by deed poll change the name of the child, whether as to his surname or as to any first name or Christian name:

“Provided that where the child has attained the age of eighteen years his consent shall be required to the change of name:

“Provided also that for the purposes of this subsection the term “parents”—

“(a) Where one of the parents has deserted the child or is dead or unknown or missing or of unsound mind, means the other parent:

“(b) Where the child has been adopted, means the adoptive parents:

“(c) Where the child has a legal guardian, means or includes that guardian:

“(d) Where each parent of the child is dead or unknown or missing or of unsound mind and the child has no legal guardian who is living and of sound mind, means the Superintendent of the Child Welfare Division of the Department of Education:

“(e) In any other case where the said Superintendent would be competent to consent to the adoption of the child, means the Superintendent:

“(f) In the case of an illegitimate child, does not include the natural father of the child:

“Provided further that where there are two parents within the meaning of this subsection either one of them may change the name under this subsection without the concurrence of the other if a Magistrate’s Court in its discretion makes an order consenting to the change of name.

“(3) Where the name of any person has been changed by deed poll under this section, or has been changed before the commencement of this section by deed poll in accordance with the law in force at the date of the deed, the change of name may be registered, on payment of the prescribed fee, by depositing the deed in the Registrar-General’s Office, together with a certified copy of the entry as to the birth of that person or, in the case of a person whose birth has not been registered in New Zealand, a certificate or other evidence to the satisfaction of the Registrar-General of the date and place of birth of that person.

“(4) Where a deed poll changing, or evidencing a change of, the name of any person has been filed in any office of the Supreme Court before the commencement of this section, a copy of the deed certified by the Registrar of the Supreme Court may be deposited with the Registrar-General under subsection three of this section instead of the deed.

“(5) Where a change of the name of any person whose birth has been registered in New Zealand is registered under this section—

“(a) The Registrar-General shall, if the duplicate of the entry as to the birth has been transmitted to him pursuant to section eight of this Act, forthwith note and sign on the duplicate a memorial of the change of name:

“(b) The Registrar-General shall in every case forthwith send to the Registrar by whom the birth was registered particulars of the change of name; and the Registrar by whom the birth was registered shall forthwith note and sign on the entry as to the birth, and on the duplicate of any such entry in cases where the duplicate has not been transmitted to the Registrar-General, a memorial of the change of name:

“(c) Every certificate of the date of birth issued under this Act thereafter shall show the name as changed and no other name.

“(6) Section thirty-nine of this Act (which relates to indexes and searches and certified copies) is hereby extended to apply with respect to deeds and certified copies of deeds deposited in the Registrar-General’s office under this section.”

Shortened  
forms of birth  
certificates.

3. The principal Act is hereby amended by inserting, after section thirty-nine, the following section:

“39A. (1) Every certified copy of an entry of a birth under section thirty-eight or section thirty-nine of this Act shall be in the prescribed form, and shall include only such particulars as are prescribed.

“(2) Every such certified copy made in a prescribed form shall, if otherwise correct, be deemed to be a true copy of the original entry in the register, notwithstanding that the prescribed particulars do not include all the particulars in the original entry.”